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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CAROLINE BARKER,

Plaintiff,

v.

MARVIN E. KAPLAN,¹ Chairman, National
Labor Relations Board,

Defendant.

) CASE NO. 4:23-cv-308-DMR

) **SECOND STIPULATION TO EXTEND TIME**
) **FOR DEFENDANT'S ANSWER TO**
) **PLAINTIFF'S COMPLAINT AND TO**
) **CONTINUE THE INITIAL CASE**
) **MANAGEMENT CONFERENCE AND**
) **ORDER (AS MODIFIED)**

) The Honorable Donna M. Ryu

On March 26, 2024, the Court granted the parties' stipulation to extend time for Defendant's answer to Plaintiff's second amended complaint. *See* Dkt. No. 95. Pursuant to Civil Local Rule 6-2, the parties to this action hereby stipulate to an additional extension of time for Defendant to file an answer to Plaintiff's second amended complaint. Defendant will file his answer to Plaintiff's second amended complaint by June 16, 2025. The parties make this request because Defendant needs a brief period of additional time to prepare their response, to provide Defendant's counsel with additional time to prepare and finalize the answer and to attend to emergency litigation-related responsibility in other cases, specifically eleven motions for preliminary injunctions that have been recently filed in this District by

¹ Marvin E. Kaplan automatically is substituted as the defendant in this matter in accordance with Federal Rule of Civil Procedure 25(d).

over 100 plaintiffs. For these reasons, and as articulated below in the Declaration of Counsel, the parties respectfully request that the Court grant their stipulation.

DATED: May 2, 2025

Respectfully submitted,²

PATRICK D. ROBBINS
Acting United States Attorney

s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney

Attorneys for Defendant

DATED: May 2, 2025

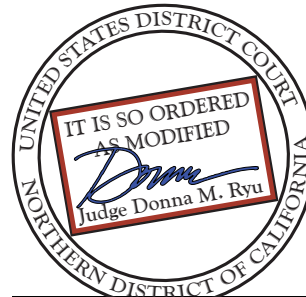
s/ Caroline Barker
CAROLINE BARKER
Plaintiff, *pro se*

ORDER (AS MODIFIED)

Pursuant to stipulation, IT IS SO ORDERED. Defendant will file a response to Plaintiff's second amended complaint by June 16, 2025. The Initial Case Management Conference set for July 2, 2025 at 1:30 p.m. is vacated and continued to August 20, 2025 at 1:30 p.m. in Oakland, by Videoconference only. Parties shall file a joint case management conference statement by August 13, 2025.

All counsel and parties may access the webinar information (public hearings) at <https://cand.uscourts.gov/judges/ryu-donna-m-dmr/>.

DATED: May 2, 2025



HON. DONNA M. RYU
Chief Magistrate Judge

² In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed herein concur in the filing of this document.

DECLARATION OF ELIZABETH D. KURLAN

I, Elizabeth D. Kurlan, declare and state as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Northern District of California and counsel of record for the federal Defendant in the above-captioned action.

2. On March 26, 2024, the Court granted the parties' stipulation to extend time for Defendant's answer to Plaintiff's second amended complaint. *See* Dkt. No. 95.

3. Although I have been working on Defendant's answer, I have been unable to complete it by the current due date because of my heavy workload over the past several weeks, including eleven motions for preliminary injunctions that have been recently filed in this District by over 100 plaintiffs. I informed Plaintiff that the agency needs additional time to prepare their answer to Plaintiff's second amended complaint and we agreed to an extension of time for Defendant's response.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: May 2, 2025

s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney